

# **DEPARTMENT OPERATIONS MANUAL**

## **CHAPTER 5 – ADULT CUSTODY AND SECURITY OPERATIONS**

### **ARTICLE 17 — CONTROL OF DANGEROUS AND TOXIC CHEMICALS**

*Revised January 26, 2015*

#### **52030.1 Policy**

All units of the Department shall meet or exceed the requirements of all rules, regulations and laws applicable to identification, training, use, storage, handling and disposal of hazardous chemicals; including those established in the Guidelines for the Control and use of Flammable, Toxic and Caustic Substances, and the Hazardous Substances Information and Training Act, Labor Code, Division 5, Chapter 2.5.

The Department shall provide a working and living area that is as free as possible from unsafe and unhealthy exposure which could lead to personal injury or illness.

#### **52030.2 Purpose**

This policy shall establish a method for the identification, receipt, training, issue, handling (or use), inventory and disposal of hazardous chemicals, which is in compliance with all federal, state, and local laws or ordinances.

**[Sections 52030.3 through 52030.3.11 are unchanged]**

#### **52030.3.12 Employee Exposure Records**

A record containing any of the following information about employee exposure to toxic, hazardous chemicals (Title 8, CCR, Section 3204).

- Environmental monitoring or measuring, including person, area, grab, wipe, or other form of sampling; as well as related collection and analytical methodologies, calculations, and other background data relevant to interpretation of the results obtained.
- Biological monitoring results which directly assess the absorption of a substance or agent by body systems (e.g., the level of chemical in the blood, urine, breath, hair, fingernails, etc.) but not including results which assess the biological effect of a substance or agent.
- Material Safety Data Sheets (MSDS) and/or Safety Data Sheets (SDS).
- In the absence of the above records, any other record which reveals the identity; e.g., chemical name, common name, or trade name of a hazardous chemical.

**[Sections 52030.3.13 through 52030.3.15 are unchanged]**

#### **52030.3.16 Globally Harmonized System (GHS)**

An international system of environmental and occupational safety information designed to protect workers and the environment from the hazards of hazardous chemicals.

#### **52030.3.17 Hazardous Chemical**

Any substance or mixture of substances which is classified as a physical hazard or a health hazard, a simple asphyxiant, combustible dust, pyrophoric gas, a hazard not otherwise classified, or is included in the List of Hazardous Chemicals prepared by the Department of Industrial Relations, Division of Occupational Safety and Health's Director pursuant to Labor Code Section 6382.

### **52030.3.18 Hazardous Waste**

A waste as defined in Section 66261.3 of Title 22, CCR, Division 4.5. “Hazardous waste” includes acutely hazardous waste, extremely hazardous waste, non- Resource Conservation and Recovery Act (RCRA) hazardous waste, RCRA hazardous waste, special waste, and universal waste.

#### **52030.3.19 Impurity**

A hazardous substance which is unintentionally present with another substance or mixture.

#### **52030.3.20 Label**

An appropriate group of written, printed or graphic information elements concerning a hazardous chemical that is affixed to, printed on, or attached to the immediate container of a hazardous chemical, or to the outside packaging.

#### **52030.3.21 Material Safety Data Sheet (MSDS)**

A document which supplies information about a particular hazardous chemical or mixture, as required by prior regulation. Note: MSDS use for received hazardous chemicals is allowed until June 1, 2015. Safety Data Sheets (DOM Section 52030.3.25) shall be exclusively used for hazardous chemicals received after June 1, 2015. MSDS’s shall be retained for older hazardous chemical products.

#### **52030.3.22 Manufacturer**

A person or company who produces, synthesizes, extracts or otherwise makes a hazardous substance.

#### **52030.3.23 Mixtures**

A combination or a solution composed of two or more substances in which they do not react.

#### **52030.3.24 Record**

Any item, collection, or grouping of information regardless of the form or process by which it is maintained (e.g., paper document, microfiche or microfilm, x-ray film, or automated data processing).

#### **52030.3.25 Safety Data Sheet (SDS)**

Written or printed material concerning a hazardous chemical that is prepared in accordance with Title 8, CCR, subsection 5194 (g).

#### **52030.3.26 Specific Written Consent**

A written authorization containing the following:

- The name and signature of the person authorizing the release of information.
- The date of the written authorization.
- The name of the individual or organization that is authorized to release the medical information.
- The name of the designated representative (individual or organization) that is authorized to receive the released information.
- A general description of the medical information that is authorized to be released and purpose of release.
- A date or condition upon which the written authorization shall expire (if less than one year).

A written authorization does not authorize the release of medical information not in existence on the date of written authorization, unless this is expressly authorized, and is not in effect for more than one year from the date of written authorization. A written authorization may be revoked in writing at any time.

### **52030.3.27 Universal Waste**

Any of the wastes that are listed in Title 22, CCR, Section 66261.9.

### **52030.4 Responsibility**

#### **Wardens and Camp Director**

The Wardens and Camp Directors shall monitor the supervision and control of hazardous chemicals. Wardens and Camp Directors shall ensure that adherence to the methods and procedures described in this plan are followed.

#### **52030.4.1 Department Heads and Supervisors**

Department heads and supervisors shall monitor daily compliance with this procedure in the areas of their responsibilities.

All supervisors shall:

- Control the use of all known hazardous chemicals within their jurisdiction.
- Maintain a completed MSDS or SDS and CDCR Form 2280, Hazardous, Toxic, And Volatile Substances Perpetual Inventory, for each such hazardous chemical used in the work area.
- Inform employees and inmates of the right to personally receive information regarding hazardous chemicals to which they may be exposed in accordance with the CCR Title 8 subsection 5194 (d) (6).
- Maintain a constant daily inventory of all hazardous chemicals used or stored within the work area. Inventory lists shall be kept in a place inaccessible to inmates and separate from where items are stored.
- Provide on request of an employee, inmate or their representative, a copy of the MSDS or SDS for each hazardous chemical used in the work area.
- Notify employees of hazardous chemicals present in the work area prior to the job assignment. Such notification shall consist of the following:
  - A prominently posted list of hazardous chemicals. The list shall indicate the manner in which the appropriate MSD or SDS are available as well as access to medical exposure records.
  - Prominently displayed binders containing the appropriate MSDS and SDS, provided that the number and location of binders are sufficient to give reasonable notice to all affected staff.
  - Any other method of written notice listing the hazardous chemicals in the work area and the availability of MSDS or SDS at the work site.

#### **Training**

Each work area supervisor shall ensure that every staff person required to work with or use a hazardous chemical is appropriately trained per Title 8, CCR, Section 5194 in the safeguards and emergency procedures prior to being assigned to work with the hazardous chemical.

- Training shall be provided by the supervisor from information on the MSDS or SDS.

- OJT, in the form of weekly safety meetings with instruction on specific job tasks, shall be documented indicating the date provided, the name of attendees, subject covered, and any additional materials or information supplied.
- Classroom and/or specialized training shall be provided to staff and inmates pertaining to hazardous chemicals where OJT is not adequate.
- Training records shall be maintained by the supervisor of the work area with a copy to the employee or inmate's file and a copy to the IST officer (staff employees).
- Employees or inmates who have not received appropriate training shall not be allowed to work with the hazardous chemical until such time as the appropriate training is completed.

Provide appropriate training on the hazardous chemicals used within the work area prior to using the hazardous chemicals. Training shall consist of:

- Any health hazards associated with the use of the hazardous chemical or mixture.
- Necessary precautions for handling to prevent or minimize exposure to the hazardous chemical.
- Proper use and care of protective clothing and apparatus necessary for handling hazardous chemicals.
- Emergency procedures for spills, fire, disposal, and first-aid.
- Provide written information or training programs for understanding the MSDS or SDS.
- Furnish employees and inmates exposed to a hazardous chemical with information on the contents of the hazardous chemical, as stated on the MSDS or SDS for that hazardous chemical.

#### **52030.4.2 Warehouse Manager/Supervisor**

All deliveries of hazardous chemicals from a vendor shall be made directly to the institution warehouse. Warehouse staff are responsible for the proper receipt, labeling, and storage of such hazardous chemicals as provided in this section.

Upon receipt of any hazardous chemicals listed above, warehouse staff shall immediately check the hazardous chemicals against the purchase order to ensure receipt of the correct material and amount. The material must be appropriately marked to identify the hazardous chemicals and any related hazards. Containers not so marked will not be accepted by the warehouse staff.

The warehouse supervisor/manager shall:

- Ensure that each container is labeled according to the Globally Harmonized System (GHS) and National Fire Protection Association (NFPA) guidelines .
- Ensure that a properly completed MSDS or SDS is on file for the hazardous chemicals as soon as possible. Documentation on requests for MSDS or SDS should be maintained for any follow-up action as necessary. Specific instructions for acquiring a MSDS or SDS can be found in Title 8, of CCR, Section 5194.

#### **Inventory Sheet**

Prepare and ensure the completion of CDCR 2280 for each hazardous chemical received. The following information must be included on the inventory sheet:

- Date received.
- Hazardous chemical received (common name or brand name).
- Quantity received.

- Person receiving the hazardous chemical.
- Date hazardous chemical is dispensed (whole or part).
- Quantity of hazardous chemical dispensed (pint(s), gallon(s), etc).
- Person dispensing the hazardous chemical.

#### **52030.4.3 Storage**

Ensure that all hazardous chemicals are stored in their original containers or if transferred to another container, in an approved container for the specific hazardous chemical. All containers shall be appropriately labeled with the name of the hazardous chemical or mixture contained in it. The Globally Harmonized System (GHS) labeling and identification requirements shall be used to identify the hazard of the hazardous chemical, as appropriate.

Materials received from the vendor shall be immediately stored in a locked "hot room" in the warehouse complex or other designated location specifically constructed for this purpose. (Empty or unused areas in the warehouse will not be used to store these hazardous chemicals.)

Bulk quantities of selected flammable and corrosive hazardous chemicals shall be stored in the warehouse's "special structure room" designated for these hazardous chemicals.

- Oxidizing agents shall be separated in storage from flammable or combustible materials and from mineral acids Title 8, CCR, Section 5179, Uniform Fire Code, and National Fire Protection Association (NFPA) Guidelines).
- Hazardous chemicals which, when mixed react violently, or evolve toxic vapors or gasses, or which in combination become hazardous by reason of toxicity, oxidizing power, flammability, explosiveness, or other properties, shall be separated from each other in storage by distance, partitions, or otherwise so as to preclude accidental contact between them (Title 8, CCR, Section 5184, the Uniform Fire Code, and National Fire Protection Association (NFPA) Guidelines).
- Special precautions shall be exercised to ensure that these hazardous chemicals are never stored with food items per the California Retail Food Code.

#### **Gas Cylinders**

All compressed gas cylinders, full or empty, shall be equipped with safety caps and chained to the storage racks provided for this purpose in the warehouse per the Uniform Fire Code and National Fire Protection Association (NFPA) Guidelines.

- All gas cylinders, full or empty, on the work site must be secured in such a manner as to prevent their being dropped or knocked over.
- All gas cylinders shall be marked so as to identify clearly the hazardous chemicals contained in them.

#### **52030.4.4 Containers**

All containers shall be clearly marked to identify the hazardous chemicals contained therein. No container shall be used for a hazardous chemical for which the container is not approved.

- Any containers with unidentified chemicals shall be reported to the fire chief or other hazardous materials specialist designee. Steps shall be taken within 24 hours to have contents identified.

If the discovery was during non-business hours, steps for identification shall be the following work day.

- Strict adherence to all laws and regulations pertaining to the storage and handling of hazardous chemicals shall be maintained at all times.
- Warehouse staff shall be appropriately trained in the storage and handling of all hazardous chemicals contained in the warehouse.

#### **52030.4.5 Dispensing**

All hazardous chemicals shall be dispensed in their original containers when possible. If smaller amounts are requested, only containers approved for the hazardous chemicals being dispensed shall be used.

The warehouse supervisor/manager shall dispense only the amount of the hazardous chemical indicated on the written request. Only the minimum amount needed for the specific job shall be requested.

The warehouse supervisor/manager shall distribute copies of appropriate MSDS or SDS for each hazardous chemical dispensed, to the appropriate supervisor requesting the hazardous chemical. If a prior MSDS or SDS for the hazardous chemical has been forwarded to the supervisor requesting the hazardous chemical, a new MSDS or SDS shall not be forwarded unless new information has been received on that hazardous chemical.

Whenever a new MSDS or SDS is received in the warehouse for any hazardous chemical which previously had a MSDS or SDS, the warehouse supervisor/manager shall inform users of the hazardous chemicals of any new information by transmittal of a copy of the new MSDS or SDS.

Unused supplies of hazardous chemicals shall be returned to the warehouse for proper storage, unless it is controllable in the work area in a secure, locked room appropriate for the hazardous chemical(s) involved.

All hazardous chemicals received or dispensed from the warehouse shall be immediately documented on the appropriate inventory form for that hazardous chemical.

#### **52030.4.6 Audits**

Monthly audits shall be performed by the warehouse supervisor/manager to ensure compliance to inventory documentation, dispensing of hazardous chemicals, etc. Copies of inventory audits shall be maintained until disposal and/or depletion of the hazardous substance, or for a period of two years.

Under no circumstances shall any inmate have access to the “hot room”, MSDS and SDS, inventory logs, master lists of hazardous chemicals, or keys to any locked area containing hazardous chemicals.

The warehouse supervisor/manager shall ensure the proper distribution of supplies and hazardous chemicals from the warehouse.

Requests for any hazardous chemicals covered by this procedure shall be forwarded to the warehouse supervisor/manager in writing indicating who is requesting, the hazardous chemical requested, the amount, and when needed.

The warehouse supervisor/manager shall maintain an accurate inventory of all hazardous chemicals in the warehouse. They shall maintain a master list of all hazardous chemicals, with copies of applicable MSD or SD, in a locked (or secure) area separate from where the hazardous chemicals are stored.

#### **CDCR Form 2280**

A CDCR Form 2280, Hazardous, Toxic, And Volatile Substances Perpetual Inventory”, shall be completed indicating all the hazardous chemicals located in the warehouse. Copies of the MSDS

or SDS for each hazardous chemical shall be attached to the completed CDCR Form 2280. One set of copies of the CDCR Form 2280 and the attached MSDS or SDS shall be forwarded to the institution fire chief for their use in the event of a fire or other emergency.

- Perpetual (daily) inventories shall be maintained on all hazardous, toxic, volatile, flammable and caustic hazardous chemicals.
- The warehouse supervisor/manager shall maintain an inventory sheet (log) on each hazardous chemical.
- Documentation shall be appropriately entered on the log/form for the particular hazardous chemical each time a portion is issued.
- If a new hazardous chemical is received in the warehouse, an updated copy of the CDCR Form 2280 and the applicable MSDS or SDS shall be forwarded to the fire chief immediately.

#### **52030.4.7 Fire Chief**

The fire chief shall ensure that each work area using hazardous chemicals has an appropriate storage area for all hazardous chemicals used in the work area. The storage area shall be safe, secure, and inaccessible to inmates. Strict attention shall be paid to the proper methods for storage of different hazardous chemicals.

Fire chiefs shall monitor the supervision and control of hazardous chemicals at their assigned institution. Strict adherence to the methods and procedures described in this plan shall be maintained. The fire chief shall also:

- Control the use of all known hazardous chemicals within their jurisdiction.
- Ensure that staff required to implement or participate in the implementation of this procedure are made familiar with its contents.
- In the event of an uncontrollable “spill” of hazardous chemical, take charge of evacuation from the area and notify as soon as possible all agencies required by law i.e.; EPA, California Governor’s Office of Emergency Services (OES), Certified Unified Program Agency (CUPA) and local Emergency Responders (e.g., outside Fire Department).
- File required reports in compliance with federal, state, and local laws.

#### **52030.4.8 Employees**

Department employees and inmates who work with hazardous chemicals shall be familiar with this procedure and shall observe all safety precautions including, but not limited to:

- In the event of a major spill or release of toxic or hazardous chemicals, the institution fire department shall be immediately notified for emergency response.
- Reporting any loss or misuse of hazardous chemicals to the immediate supervisor of the area where the loss or misuse occurred.
- Wearing and using appropriate personal protective equipment as required for use with the hazardous chemical(s).
- Immediately reporting any exposure to a hazardous substance to the supervisor in charge, and taking appropriate action to prevent further exposure to themselves or others. This may include appropriate medical follow-up.
- No hazardous chemical covered by this procedure shall be dispensed to inmates without direct supervision of staff. An exception may be made in the authorized use of gasoline (i.e., service stations, garages, lawn mowers, etc.).

If appropriate secure storage areas are not available in the work area for unused hazardous chemicals at the end of the work day, the remaining hazardous chemicals shall be returned to the warehouse for proper storage.

#### **52030.4.9 Asbestos and Polychlorinated Biphenyls (PCB's)**

All incidents involving the release of asbestos and polychlorinated biphenyls (PCB's) shall be reported immediately to the fire chief or other hazardous materials specialist and the Correctional Plant Manager (CPM) hazardous materials specialist .

The CPM and/or fire chief shall inspect or cause to be inspected the area of concern to determine if immediate action is warranted.

If the asbestos and/or PCB's release creates an immediate danger, the CPM shall notify the Associate Warden, Business Services or other manager who shall notify any and all agencies required by law.

The CPM shall take all necessary actions, including replacement or repair of contaminated material or equipment. All persons shall be evacuated from contaminated areas if warranted, until the area is returned to a safe condition.

For buildings constructed before 1979 that contain or are presumed to contain asbestos containing materials, the work site shall provide notification to employees as required by the Asbestos Notification Act.

#### **52030.5 Hazardous and Universal Waste**

Unstable or unusable hazardous chemicals that may become hazardous and universal waste shall be removed and disposed in a safe and healthful manner which complies with all federal, state, and local laws. The institution fire chief or other hazardous materials specialist shall be contacted to provide for the proper disposal of hazardous and universal waste.

##### **Disposal Tax & Fee Forms**

Hazardous waste generator tax and fee returns and forms must be filed by CDCR facilities that dispose of hazardous waste during the course of a calendar year.

- A fee return for the weight (tons) of hazardous and extremely hazardous waste disposed, for each calendar year is required by the State BOE, Department of Business Taxes. The fire chief or other hazardous materials specialist shall compile these reports returns.
- An EPA ID # Verification Fee and Manifests Fee Sheet must be completed and filed with the Department of Toxic Chemicals Control (DTSC).
- Failure to complete the above forms in the time designated shall result in a penalty and interest being imposed by the State BOE and DTSC. Therefore, the above forms shall be completed and any fees paid in a timely manner.
- It is imperative that all staff needing hazardous chemicals-hazardous and universal waste disposed contact the fire chief or hazardous materials specialist so that accurate coordination and collection of data can be completed.

A contract for hazardous and universal waste disposal shall be arranged with a licensed, approved hazardous waste transporter (Business Services has this information) to eliminate the possibility of improper disposal and subsequent liability to the Department or institution.

#### **52030.6 Inspections**

Ongoing inspections shall be performed by the following staff at the frequency indicated:



### **Daily**

Daily inspections for fire and life safety, including proper supervision of hazardous chemicals, shall be performed by supervisors of each work and living area.

### **Weekly**

Weekly inspections shall be performed by supervisors for fire and life safety, with documentation made of findings.

### **Monthly**

Monthly fire and life safety and health inspections shall be performed by the fire chief and Chief Medical Executive (CME) or their trained designee(s). Reports of deficiencies shall be made and copies sent to the safety coordinator, the Warden and Camp Director and the area supervisor where the deficiencies are noted. Inspections shall also include spot checking for training of employees, safety meeting minutes, proper containment and use of hazardous chemicals, etc.

- Deficiencies shall be corrected within a reasonable time, dependent upon the nature of deficiency.
- All work procedures shall be performed in a healthy and safe manner.

### **Quarterly**

Quarterly inspections shall be conducted by the fire chief or their designee for fire and life safety with findings documented and reports sent to the Warden. Inventories of chemicals used in the work area shall be noted in addition to the deficiencies mentioned above.

### **Annual**

Annual State Fire Marshall and California Department Public Health (CDPH) inspections shall be conducted with the attendance of the fire chief and work or living area supervisor for the area being inspected. Complete cooperation shall be given to assist in a positive, thorough inspection.

- State Fire Marshall (SFM) reports and Environmental Health Survey reports (EHS) shall be forwarded to:
- Warden and Camp Director.
- Associate Warden, Business Services.
- CPM.
- CME.
- Institution Safety Coordinator, (aka Fire Chief).
- Director, Division of Adult Institutions.
- Director, Division of Administrative Services.
- Chief, Environmental Compliance Unit, FPCM.
- Deputy Director, Office of Audits and Court Compliance.
- Chief, Office of Employee Wellness.
- Associate Director (Mission), (DAI).

### **52030.6.1 Plan of Correction**

The Warden and Camp Director shall forward a Corrective Action Plan to the Associate Director (Mission), (DAI) and all others mentioned in Section 52030.6, within 30 days (45 days for camps) indicating action planned to eliminate deficiencies noted in the SFM and EHS reports. This plan shall include:

- The nature of the problem.

- The method identified to resolve the problem.
- Expected date of completion.
- List staff members responsible for resolution.
- If problem cannot be corrected within 30 days, the reasons and expectation of when it will be corrected.
- The name and title of person preparing the plan of correction.

#### **52030.7 Hazardous Chemical Misuse or Loss**

Upon discovery that a hazardous substance material has been lost, stolen, or misused, the discovering staff person shall immediately notify the institution watch commander and the safety coordinator. A written follow-up shall be submitted within 24 hours indicating all the information (facts) of the incident. Discovery could be through an inventory or any method that identifies misuse of a hazardous chemical.

The watch commander and safety coordinator shall take action appropriate to the immediate need of the situation (lost, stolen, or misuse). If the hazardous chemical involved could pose a potential serious threat to the life, safety, and/or security of the institution, immediate action shall be taken.

- Under no circumstance, shall loss or misuse of hazardous chemicals be ignored.

A written report shall be submitted to the responsible unit captain and Associate Warden to facilitate a review of the operation in the area and take appropriate action to prevent recurrence.

**[Sections 52030.8 is unchanged]**

#### **52030.9 Title 8, CCR, Section 3204**

State Compensation Insurance Form (SCIF) 3067 generated as a result of a hazardous substance exposure shall be stamped with red lettering in the upper right-hand corner "Hazardous Substance Exposure." This will allow for easy identification to the SCIF adjusters and their legal staff to ensure that these records shall not be destroyed.

Employees or their representatives requesting copies of any exposure medical records shall comply with the guidelines of Title 8, CCR, Section 3204. Employees shall first complete a CDC Form 965, Authorization for the Release of All Substance(s) Exposure and Medical Records.

Supervisors shall complete SCIF Form 3067 to report any employee exposures to hazardous chemicals.

#### **52030.10 Revisions**

The Director, Division of Adult Institutions, or designee shall ensure that the contents of this section is current.

#### **52030.11 References**

CCR (15) §§ 3270 and 3303(b).

CCR (8) Section 5194.

LC, Division 5, Chapter 25.

ACA Standards 4-4215.

National Fire Protection Association (NFPA).

National Safety Council (NSC).

Uniform Fire Code (UFC)